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STATE OF ARIZONA  
FILED

MAR 21 1994

STATE OF ARIZONA

DEPARTMENT OF INSURANCE

DEPARTMENT OF INSURANCE  
By *[Signature]*

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In the Matter of: )  
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)  
PHILLIP M. BALEY, )  
)  
Respondent. )

No. 8394  
  
CONSENT ORDER

On or about June 7, 1993, the Arizona Department of Insurance (the "Department") commenced an investigation of Phillip M. Baley ("Respondent"). Respondent has been informed of his rights to receive written notice of the charges against him and to a hearing to contest those charges, which he waives. To avoid commencement of formal proceedings regarding this matter, Respondent hereby admits that the following Findings of Fact are true, and consents to the entry of the following Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent is currently licensed as a life and disability and variable annuity and property and casualty agent in the State of Arizona, license number 6534.

2. Respondent submitted an application for a policy of life insurance on the life of his sister-in-law, Lula Walker, dated September 17, 1992 to The Prudential Insurance Company of America ("Prudential"). Ms. Walker did not authorize the application, and Respondent forged her signature thereon.

3. Prudential confirmed that the subject application contained a forged signature and cancelled the life insurance policy, number 79-796-456, as of July 26, 1993.

RECEIVED  
MAR 21 1994  
ARIZONA DEPT. OF INS.  
LICENSING SECTION

1 CONCLUSIONS OF LAW

2 1. Respondent's conduct alleged above constitutes  
3 the existence of any cause for which original issuance or any  
4 renewal of the license could have been refused within the  
5 meaning of A.R.S. §20-316(A)(1) together with A.R.S.  
6 §20-290(B)(2).

7 2. Respondent's conduct alleged above constitutes a  
8 conduct of affairs under the license showing the licensee to be  
9 incompetent or a source of injury and loss to, or repeated  
10 complaint by the public or any insurer within the meaning of  
11 A.R.S. §20-316(A)(7).

12 3. The Director has grounds to impose civil  
13 penalties against Respondent and to revoke Respondent's license  
14 pursuant to A.R.S. §20-316.

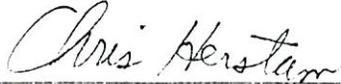
15 ORDER

16 Respondent having admitted the jurisdiction of the  
17 Director of the Arizona Department of Insurance to enter the  
18 Order set forth herein, having waived Notice of Hearing and  
19 Hearing on this matter, and having consented to the entry of the  
20 Order,

21 IT IS HEREBY ORDERED THAT:

22 The insurance licenses of Phillip M. Baley are  
23 revoked upon entry of this Order.

24 DATED this 21st day of March, 1994.

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26 \_\_\_\_\_  
27 CHRIS HERSTAM, DIRECTOR  
28 Arizona Department of Insurance

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CONSENT TO ORDER

1. Respondent Phillip M. Baley has reviewed the foregoing Findings of Fact, Conclusions of Law and Order and is aware of his right to an administrative hearing at which he may be represented by counsel, present evidence and cross-examine witnesses. Respondent has waived his right to a hearing and to any court appeals relating thereto.

2. Respondent Phillip M. Baley admits the jurisdiction of the Arizona Department of Insurance and admits that the foregoing Findings of Fact and Conclusions of Law are true and consents to the entry of the foregoing Order.

3. Respondent Phillip M. Baley states that no promise of any kind or nature whatsoever was made to him to induce him to enter into this Order and that he has entered into it voluntarily.

4. Respondent Phillip M. Baley acknowledges that the Arizona Department of Insurance's acceptance of this Order is solely for the purpose of settling this litigation as against him and does not preclude any other agency or officer of this state or subdivision thereof from instituting other civil or criminal proceedings as may be appropriate now or in the future.

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5. Respondent Phillip M. Baley hereby waives all rights to challenge the foregoing Findings of Fact, Conclusions of Law and Order, to appeal or otherwise, and agrees to be bound hereby.

3-08-94  
DATE

*Phillip M. Baley*  
PHILLIP M. BALEY

1 copies of the foregoing mailed  
2 this 21st day of March, 1994.

3  
4 PHILIP M. BALEY  
5 P. O. BOX 2036  
6 CHINO VALLEY, AZ 86323

7 PRUDENTIAL INSURANCE COMPANY OF AMERICA  
8 1111 DURHAM AVENUE  
9 SOUTH PLAINFIELD, NJ 07080

10 PRUDENTIAL PROPERTY & CASUALTY INSURANCE COMPANY  
11 23 MAIN STREET  
12 HOLMDEL, NJ 07733

13 PRUCO LIFE INSURANCE COMPANY  
14 213 WASHINGTON STREET  
15 NEWARK, NJ 07102

16 GERRIE SWITZER, ASSISTANT ATTORNEY GENERAL  
17 1275 W. WASHINGTON  
18 PHOENIX, AZ 85007

19 ARIZONA STATE DEPARTMENT OF INSURANCE  
20 2910 N. 44 STREET, SUITE 210  
21 PHOENIX, AZ 85018

22 KATRINA ROGERS, CHIEF HEARING OFFICER  
23 JAY RUBIN, ASSISTANT DIRECTOR  
24 DELORIS WILLIAMSON, ASSISTANT DIRECTOR  
25 GARY TORTICILL, ASSISTANT DIRECTOR  
26 MAUREEN CATALIOTO, LICENSING SUPERVISOR

27 OLIVIA DUARTE, INVESTIGATOR  
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*Chris Crawford*